

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JOSHUA RUELL YOE,

Plaintiff,

vs.

LAS VEGAS METRO POLICE
DEPARTMENT VICE UNIT,

Defendant.

Case No.: 2:24-cv-02425-GMN-EJY

**ORDER ADOPTING
REPORT AND RECOMMENDATION**

Pending before the Court is the Report and Recommendation (“R&R”), (ECF No. 4), from United States Magistrate Judge Elayna J. Youchah recommending that Plaintiff’s claims potentially asserting violations of the First Amendment freedom of religion, freedom of speech, and/or freedom of association clauses be dismissed with prejudice. (*See generally* Order & R&R, ECF No. 4). The R&R further recommends that Plaintiff’s entrapment claims and Fifth Amendment *Miranda* claim be dismissed with prejudice. (*See id.*).

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a *de novo* determination of those portions to which objections are made if the Magistrate Judge’s findings and recommendations concern matters that may not be finally determined by a magistrate judge. D. Nev. R. IB 3-2(b). The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. R. IB 3-2(b). Where a party fails to object, however, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985) (citing 28 U.S.C. § 636(b)(1)). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge’s R&R where no objections have been

1 filed. *See, e.g., United States v. Reyna–Tapia*, 328 F.3d 1114, 1122 (9th Cir. 2003).

2 No objections to the R&R were filed, and the deadline to do so has passed. (*See* R&R,
3 ECF No. 4) (setting a February 25, 2025, deadline for objections). The case docket shows that
4 mail being sent to Plaintiff, including a copy of the R&R, was being returned undeliverable but
5 the Court finds good reason to believe that Plaintiff was aware of the docket filings and their
6 substance. For instance, the Order & R&R, (ECF No. 4), ordered Plaintiff to file an Amended
7 Complaint by March 14, 2025, which Plaintiff complied with. (*See* Am. Compl., ECF No. 7).
8 Moreover, the Magistrate Judge ordered Plaintiff to update his address on the docket, an order
9 that was also returned undelivered, and Plaintiff likewise complied with the order. (*See* Order,
10 ECF No. 6).

11 Accordingly,

12 **IT IS HEREBY ORDERED** that the Report and Recommendation, (ECF No. 4), is
13 **ACCEPTED and ADOPTED** in full.

14 **IT IS FURTHER ORDERED** that Plaintiff's claims potentially asserting violations of
15 the First Amendment freedom of religion, freedom of speech, and/or freedom of association
16 clauses are **DISMISSED with prejudice**.

17 **IT IS FURTHER ORDERED** that Plaintiff's claims of entrapment are **DISMISSED**
18 **with prejudice**.

19 **IT IS FURTHER ORDERED** that Plaintiff's Fifth Amendment *Miranda* claim is
20 **DISMISSED with prejudice**.

21 Dated this 28 day of March, 2025.

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25 Gloria M. Navarro, District Judge
United States District Court